

Local Form 4A

December 2017

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN THE MATTER OF:

Jacques Dan-El Debeuneure, Sr.

Trista Reid Debeuneure

Debtor(s)

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Case Number: 18-31208

Chapter 13

AMENDMENT TO CHAPTER 13 PLAN
AND NOTICE OF OPPORTUNITY FOR HEARING ON CONFIRMATION OF THE PLAN
FOR CASES FILED ON OR AFTER DECEMBER 1, 2017

Check if applicable to this plan amendment:

1.1	A limit on the amount of a secured claim that may result in a partial payment or no payment at all to the secured creditor (Part 3.2)		Included	x	Not Included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest (Part 3.4)	x	Included		Not Included
1.3	Request for termination of the 11 U.S.C. § 362 stay as to surrendered collateral (Part 3.5)		Included	x	Not Included
1.4	Request for assumption of executory contracts and/or unexpired leases (Part 6)		Included	x	Not Included
1.5	Nonstandard provisions	x	Included		Not Included

The Chapter 13 Plan, including certain motions and other provisions, is hereby amended as follows:

Section 3.4 "Lien Avoidance" is Amended to Change the Collateral listed in the original plan under the two Nationstar Mortgage Judgments. In the original plan, the Collateral listed under section 3.4 was the foreclosed investment property. This Amendment now changes the Collateral to reflect the Debtor's primary residence as the Collateral for both liens.

3.4 Lien avoidance.

Check one.

☐

None. If "None" is checked, the rest of Part 3.4 need not be completed or reproduced.

The remainder of this paragraph will be effective only if the applicable box in Part 1 of this Plan is checked.

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The judicial liens or nonpossessory, nonpurchase money security interests securing the claims listed below impair exemptions to which the Debtor would have been entitled under 11 U.S.C § 522(b). Unless otherwise ordered by the Court, a judicial lien or security interest securing a claim listed below will be treated as avoided to the extent that it impairs such exemptions upon entry of the order confirming the Plan and avoided pursuant to 11 U.S.C. § 522(f) upon completion of the Plan. The amount of the judicial lien or security interest that is avoided will be treated as an unsecured claim in Part 5 of this Plan to the extent allowed. The amount, if any, of the judicial lien or security that is not avoided will be paid in full as a secured claim under the Plan and disbursed by the Chapter 13 Trustee, directly by the Debtor, or as otherwise specified below. *If more than one lien is to be avoided, provide the information separately for each lien.*

Name of creditor	Collateral	Lien identification (such as Judgement date, date of lien Recording, book and page Number)	Amount of claim remaining after avoidance	Interest rate
Nationstar Mortgage (Countrywide Home Loans, Inc. original loan)	2229 Flagstick Drive Matthews, NC 28104	17 SP 1320	\$0	0%
				Disbursed by:
				<input checked="" type="checkbox"/> Trustee
				<input type="checkbox"/> Debtor
				<input type="checkbox"/> Other:
Nationstar Mortgage (Countrywide Home Loans, Inc. original loan)	2229 Flagstick Drive Matthews, NC 28104	17 SP 2267	\$0	0%
				Disbursed by:
				<input checked="" type="checkbox"/> Trustee
				<input type="checkbox"/> Debtor
				<input type="checkbox"/> Other:

Please explain any disbursements to be made by someone other than the Chapter 13 Trustee of the Debtor:

Insert additional claims as needed.

TAKE NOTICE: Your rights may be affected. You should read this amendment to the Chapter 13 Plan carefully and discuss them with your attorney, if you have one, in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to confirm the Debtor's proposed Plan as amended, or if you want the Court to consider your views on these matters, then you and/or your attorney must file a written objection to confirmation and request for hearing on confirmation at one of the following addresses:

Cases filed in the Charlotte or Shelby Divisions:

Physical & Mailing Address: Clerk, U.S. Bankruptcy Court, 401 West Trade Street, Room 111, Charlotte, N.C. 28202

Cases filed in the Statesville Division:

Physical Address: Clerk, U.S. Bankruptcy Court, 200 West Broad Street, Room 301, Statesville, N.C. 28677

Mailing Address: Clerk, U.S. Bankruptcy Court, 401 West Trade Street, Room 111, Charlotte, N.C. 28202

Cases filed in the Asheville or Bryson City Divisions:

Physical & Mailing Address: Clerk, U.S. Bankruptcy Court, 100 Otis Street, Room 112, Asheville, N.C. 28801-2611

Your objection to confirmation and request for hearing must include the specific reasons for your objection and must be filed with the Court no later than 21 days following the conclusion of the § 341 meeting of creditors, or within 21 days of service of the amendment, whichever is later. If you mail your objection to confirmation to the Court for filing, you must mail it early enough so that the Court will receive it on or before the deadline stated above. You must also serve a copy of your objection to confirmation on the Debtor at the address listed in the notice of the meeting of creditors. The Debtor's attorney and the Chapter 13 Trustee will be served electronically. If any objections to confirmation are filed with the Court, the objecting party will provide written notice of the date, time, and location of the hearing. **No hearing will be held unless an objection to confirmation is filed.**

If you or your attorney do not take these steps, the Court may decide that you do not oppose the proposed plan of the Debtor as amended and may enter an order confirming the amended plan and granting the motions. **Any**

creditor's failure to object to confirmation of the proposed plan as amended shall constitute the creditor's acceptance of the treatment of its claim as proposed pursuant to 11 U.S.C. § 1325(a)(5)(A).

I declare under penalty of perjury that the information provided in this Amendment to Chapter 13 Plan is true and correct as to all matters set forth herein.

Dated 9/20/2018

/s/ Jacques Dan-El Debeuneure, Sr.

Debtor's Signature

Dated 9/20/2018

/s/ Trista Reid Debeuneure

Debtor's Signature

I hereby certify that I have reviewed this document with the Debtor and that the Debtor has received a copy of this document.

Dated 9/20/2018

/s/ Diana A. Saffa
DIANA A. SAFFA 48426
Attorney for the Debtor

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing **Amended Chapter 13 plan (FORM 4a)** has been forwarded to the following by US Mail, and/or Electronic Case Filing:

Chapter **13** Trustee
Warren L. Tadlock, Esq.
5970 Fairview Road
Ste. 650
Charlotte, NC 28210
(ECF)

Bankruptcy Administrator (ECF)

See Attached Matrix

DATED: September 20, 2018

BY: /s/ DIANA A. SAFFA, ESQ. 48426
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Nation Star Mortgage
PO Box 619097
Dallas, TX 75261

Wells Fargo Bank
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Des Moines, IA 50328-0001

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North Carolina Department of Revenue
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Raleigh, NC 27640

Woodstone Meadows Masanutten R
PO Box 1227
Harrisonburg, VA 22803

Brock & Scott, PLLC
5431 Oleander Drive, Ste 200
888 251-0331 (ofc)
877 470-6313 (fax) 704-369-0760 (fax)
Wilmington, NC 28403

Pay Pal Credit
PO Box 71202
Charlotte, NC 28272

Citi Mortgage, Inc
PO Box 9001067
Louisville, KY 40290

Santander Consumer USA
PO Box 660633
Dallas, TX 75266

Coastal Federal Credit Union
PO Box 58429
Raleigh, NC 27658

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Charlotte, NC 28202

Jacques Debeuneure
2229 Flagstick Drive
Matthews, NC 28104

Union County Trustee
901 Main St Ste 117
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